

People In Need of Environmental Safety (PINES)
Comments on the Remedial Investigation Report
Pines Area of Investigation Alternative Superfund

October 25, 2009

EPA Superfund Project Manager Tim Drexler:

The EPA permitted the responsible parties, NIPSCO and Brown Inc. to obstruct and impede the superfund process. EPA did this by allowing NIPSCO and Brown Inc, to submit, repeatedly and almost without change, error-filled Remedial Investigation Drafts and an unworkable groundwater model. The PINES' technical advisor, Geo-Hydro Inc. had to check and recheck these erroneous documents and model. This redundant but necessary activity by our technical advisor exhausted the community group's Technical Assistance Program (TAP) grant. The EPA oversaw and actively participated in these activities with Geo-Hydro Inc and continued to do so, long after EPA knew that the TAP money was exhausted.

You said, during several telephone calls, that the EPA wanted to have Geo-Hydro compensated for their work. EPA lawyers wrote an amendment to the TAP agreement, which NIPSCO, Brown Inc. and the PINES community group all endorsed. No dollar amount and no beginning or end dates are specified in the amendment. Now, EPA, NIPSCO and Brown Inc., refuse to honor the amendment leaving the PINES community group with an \$86,409.90 bill.

The members of the PINES community group are convinced that these stalling and delaying tactics are a deliberate action, intended to exhaust the PINES community group's time, energy and money. Moreover, these tactics are intended to prevent Geo-Hydro Inc. from protecting the health and safety of the residents. EPA failed in their duty to keep NIPSCO and Brown Inc on schedule. Now EPA must carry out their responsibility to enforce the TAP amendment and instruct the Responsible Parties, NIPSCO and Brown Inc., to pay our technical advisor for the work they performed on behalf of the residents of the superfund area.

Larry Silvestri
PINES Secretary

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